

**DRAFT****CONFIDENTIAL**  
CIA INTERNAL USE ONLY

4 April 72 25X1A

29 March 1972 / Dens

Let's Try  
THis 25X1A

MEMORANDUM FOR: All OCS Employees

SUBJECT : Response to IBM Statements on Non-  
disclosure Policy

1. On numerous occasions when CIA has requested technical information from the IBM Corporation, this information has been refused. The stated grounds have variously been:

- a. The information is IBM proprietary.
- b. IBM's legal counsel will not permit IBM to divulge it on the grounds that this might adversely affect IBM's legal position in a pending anti-trust suit.
- c. Disclosing the information would make CIA privy to IBM internal data not regularly available to other customers.
- d. Such confidential information might influence CIA to plan on a basis which might later prove to be erroneous (presumably following some future IBM decision to change the product or not to market it).

2. You are requested to reply to such assertions in the following way:

"IBM's reply is viewed as unacceptable and unresponsive to the request made by CIA. In refusing to divulge the

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"requested information the IBM Corporation is  
denying to CIA data necessary to the efficient manage-  
ment and orderly planning of ADP."

3. You are further requested in all such cases to prepare  
a short memorandum for the record noting the request made, IBM's  
reply, and your response to it. This should be done ~~even~~<sup>also</sup> in cases  
where IBM agrees to release the information on a confidential basis.

4. In no case should an OCS employee imply in any way  
that IBM's refusal to furnish CIA with information is an expected,  
normal and understood attitude.

JOHN D. IAMS  
Director of Computer Services

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<b>TRANSMITTAL SLIP</b>		DATE
TO: [REDACTED]		3/31/72
ROOM NO.	BUILDING	
7 D 07	Hq.	
REMARKS:		
<p>This is what I propose to put out to            my people. Any problems?</p> <p style="text-align: right;">H1/H 3/31/72</p> <p><i>We had a few difficulties with the contractor on this problem. Also in the contract it says the contractor apparently expects to deal with the proprietary information. Any need to check this with Jack Iams, D/OCS Justice?</i></p>		
ROOM NO.	BUILDING	EXTENSION
2 E 29	Hq.	[REDACTED]
FORM NO. 241 1 FEB 55		(47)
REPLACES FORM 36-8 WHICH MAY BE USED.		

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